

## PART V - EMPLOYED BARRISTERS

501. An employed barrister whilst acting in the course of his employment may supply legal services to his employer and to any of the following persons:
- (a) any employee, director or company secretary of the employer in a matter arising out of or relating to that person's employment;
  - (b) where the employer is a public authority (including the Crown or a Government department or agency or a local authority):
    - (i) another public authority on behalf of which the employer has made arrangements under statute or otherwise to supply any legal services or to perform any of that other public authority's functions as agent or otherwise;
    - (ii) in the case of a barrister employed by or in a Government department or agency, any Minister or Officer of the Crown;
  - (c) where the barrister is or is performing the functions of a justices' clerk, the justices whom he serves;
  - (d) where the barrister is employed by a trade association, any individual member of the association.
502. An employed barrister may supply legal services only to the persons referred to in paragraph 501 and must not supply legal services to any other person save that whilst acting in the course of his employment:
- (a) a barrister employed by a solicitor or other authorised litigator or by an incorporated solicitors' practice may supply legal services to any client of his employer;
  - (b) a barrister employed by the Legal Services Commission may supply legal services to members of the public;

- (c) a barrister employed by or at a Legal Advice Centre may supply legal services to clients of the Legal Advice Centre;
  - (d) any employed barrister may supply legal services to members of the public free of charge (to any person).
503. A barrister employed to supply legal services under a contract for services may be treated as an employed barrister for the purpose of this Code provided that the contract is:
- (a) in writing;
  - (b) (subject to any provision for earlier termination on notice) for a determinate period; and
  - (c) the only contract under which the barrister is supplying legal services during that period (unless the Bar Council grants a specific waiver of this requirement).
504. An employed barrister shall have a right to conduct litigation in relation to every Court and all proceedings before any Court and may exercise that right provided that he complies with the Employed Barristers (Conduct of Litigation) Rules (reproduced in Annex I).